



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

- ☐ CENTRAL COURT, P.O. BOX 120128, 330 W. BROADWAY, SAN DIEGO, CA 92112-0128, (619) 615-6358
- ☐ NORTH COUNTY, 325 S. MELROSE DR., VISTA, CA 92081-6643, (760) 726-9595
- ☐ EAST COUNTY, 250 E. MAIN ST., EL CAJON, CA 92020-3941, (619) 441-4461
- ☐ RAMONA, 1428 MONTECITO RD., RAMONA, CA 92065-5200, (760) 738-2435
- ☐ SOUTH COUNTY, 500 3RD AVE., CHULA VISTA, CA 91910-5649, (619) 691-4780

ANSWER PACKET FOR UNLAWFUL DETAINER

Forms

This packet contains the forms used to answer an unlawful detainer matter and a brief description of the steps involved in the process.

Please be advised that court employees may not give legal advice.

It is recommended that you seek legal advice or do your own legal research if you are not familiar with this legal process. Additional information is available at www.sandiego.courts.ca.gov/superior/.

Form Name	Form #	Number of Copies
Answer – Unlawful Detainer	982.1(95)	1
Proof of Service By First-Class Mail	POS 030	1
Information Sheet on Waiver of Court Fees and Costs	982(a)(17)(A)	1
Application For Waiver of Court Fees and Costs	982(a)(17)	1
Order on Application For Waiver of Court Fees and Costs	982(a)(18)	1

READ ALL INSTRUCTIONS CAREFULLY BEFORE FILLING OUT ANY FORMS

Key Terms and Definitions

Term	Definition
Complaint	The lawsuit filed in the court.
Plaintiff	The party that files the complaint, and seeks remedy in a court of justice.
Defendant	The party or person responding to the complaint; the one which is sued and called upon to make satisfaction for a wrong complained of by another.
Answer	A principal pleading made by the defendant in response to the complaint.
Default	Failure of a party in a lawsuit to defend or to follow proper procedure to prevent entry of a judgment against them.
Judgment	The official decision of the Court stating which party won and the terms of the decision.
Writ	A court order authorizing the Sheriff to enforce and satisfy the judgment.

Fees

Refer to the most current revision of the Fee Schedule for the filing fee at www.sandiego.courts.ca.gov/superior/online/feesched.html. If you cannot afford to pay the fees, refer to the Information Sheet on Waiver of Court Fees and Costs (982(a)(17)(A)).

**Completing
Forms**

Type or print responses within the forms in black or blue-black ink.

Form	Action
Answer – Unlawful Detainer (982.1(95))	<ul style="list-style-type: none">• Complete front and back• Each person answering must sign the back• Make 2 copies of this form
Proof of Service By First-Class Mail (POS-030)	Someone over 18 years of age that is not a party to the complaint must complete this form. The signing party is stating under penalty of perjury that they will mail a copy of the Answer to the <u>Plaintiff</u> or the <u>Plaintiff's Attorney</u> . Make 2 copies of this form.

- Complete the Application For Waiver of Court Fees and Costs (982(a)(17)) and Order on Application For Waiver of Court Fees and Costs (982(a)(18)) forms if you feel that you qualify for a waiver according to the Information Sheet on Waiver of Court Fees and Costs (982(a)(17)(A)).
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**Distributing
Copies**

How to distribute copies of the Answer and Proof of Service By Mail.

- One set of copies is to be mailed to the Plaintiff or the Plaintiff's attorney.
 - One set of copies is to be kept by you, for your own records.
 - The original documents are to be filed with the Court.
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**Filing at the
Court**

How to file documents at the appropriate Civil Business Office.

- Bring the original documents (answer and proof of service) and your copies to the clerk.
 - Pay the appropriate filing fee for each person that signed the Answer
OR
File an Application and Order for Fee Waiver for each person that signed the Answer.
 - The clerk will file stamp your copies and return them to you.
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**Trial
Notification**

Once the trial date has been set, you will be notified by mail. It is your responsibility to keep the Court informed of your current address.

Note: If needed, you must bring your own court reporter/interpreter to court (ADA requirements excluded). The Court will not provide these resources for you or your witnesses.